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RUEHUL/AMEMBASSY SEOUL 9457  
RUEHKO/AMEMBASSY TOKYO 7084  
RUEHCHI/AMCONSUL CHIANG MAI 2410  
RHEHNSC/NSC WASHDC  
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C O N F I D E N T I A L SECTION 01 OF 04 RANGOON 000075

SIPDIS

DEPT FOR EAP/MLS, DRL, AND IO  
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TAGS: PGOV PREL PHUM BM

SUBJECT: GOB'S BORDER GUARD FORCE PROPOSAL FALLS FLAT

REF: A. (A) 09 RANGOON 447  
1B. (B) 09 RANGOON 567  
1C. (C) 09 RANGOON 704  
1D. (D) 09 RANGOON 478  
1E. (E) 10 RANGOON 57  
1F. (F) 10 RANGOON 53

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Classified By: Political Officer Marc Shaw for Reasons 1.4 (b) & (d)

Summary

11. (C) Speculation continues to mount about how the Government of Burma (GOB) will respond to ceasefire groups (CFGs) that refuse to sign on to the GOB's Border Guard Force (BGF) proposal. Another deadline for accession to the BGF passed on December 31, with no apparent consequences. Of the approximately 20 CFGs in Burma, only three -- the New Democratic Army-Kachin (NDA-K); Myanmar National Democratic Alliance Army (MNDAA); and Karen State Nationalities Peoples' Liberation Front (KNPLF) -- have transformed their forces into BGF elements. A fourth CFG -- the Democratic Karen Buddhist Army (DKBA) -- has not yet joined the BGF, but effectively has allied with the government.

12. (C) Talks between the government and the two largest CFGs, the Kachin Independence Organization (KIO) and United Wa State Army (UWSA), are stalled with no resolution in sight. The New Mon State Party (NMSP), Shan State Army-North (SSA-N), Karen National Union Peace Council (KNU-PC), and the remaining smaller and relatively minor groups are not actively negotiating with the government and appear not to have any immediate plans to join the BGF. Although motives vary, most CFGs are unwilling to cede their arms to the regime in the absence of a GOB commitment to some measure of autonomy within each ethnic region. Ethnic groups, especially those like the UWSA and KIO with large, well-armed militias, are potential spoilers for the regime's carefully planned elections. While it appears both the GOB and the ethnics want to avoid open conflict, that sobering option remains a possibility. End Summary.

Joining the Fold: BGF Believers

¶3. (C) The regime's 2008 constitution (Chapter VII, Article 337/338) subjects all armed groups in the country to Burma Army control: "All the armed forces in the Union shall be under the command of the Defence Services." This constitutional clause presumably is an impetus for the current effort to unite ceasefire groups' armed elements into the BGF. In an April 2009 letter to KIO/KIA and UWSA (the two largest CFGs) leaderships, Lieutenant General Ye Myint, chief of military intelligence, requested that the groups convert to the BGF, according to Kachin community leader Labang Gam Awng. The regime initially gave the UWSA and KIO/KIA a deadline of June 2009. When that date slipped, the generals subsequently conveyed verbal deadlines of October, then December. Smaller CFGs tell us the regime never gave them a firm deadline and the GOB has not publicly revealed a timeframe for BGF accession.

¶4. (C) Currently, three small CFGs have agreed to join the BGF: the New Democratic Army-Kachin (NDA-K), Karen State Nationalities Peoples' Liberation Front (KNPLF), and Myanmar National Democratic Alliance Army (MNDAA), representing the Kokang. There is no common underlying reason why these three groups have joined. Labang Gam Awng told us the NDA-K joined because of its relatively weak troop strength (approximately 1300) and limited arms. In addition, the regime provided NDA-K's leadership with permits to extract gems, timber, and gold, which they sell at a profit to China, and with permits for previously unregistered cars. Reportedly, after joining the government, the regime gave each officer a house -- at the expense of Kachin business owners who were "taxed" to pay for the endeavor. The MNDAA acceded to the BGF only after the Burma Army attacked in late August 2009 (Ref B). It is still unclear why the KNPLF joined the BGF.

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¶5. (C) The current CFG forces will comprise six BGF battalions -- three from the NDA-K, two from the KNPLF, and one from the MNDAA. Press reports state that 326 soldiers comprise each battalion, with Burma Army soldiers occupying key positions -- administration, personnel, and material support. Embassy sources who have observed these battalions in full force at ceremonies, however, believe the strength to be slightly smaller.

¶6. (C) Despite the DKBA's alliance with the GOB, that CFG has yet to join the BGF. According to Karen community leader Rebecca Htin -- who has contacts with various Karen groups -- certain battalions within the DKBA are willing to accede to the BGF, but other DKBA units oppose integration. The DKBA continues to mount offensives in coordination with the Burma Army against the KNU, most recently in late January (Ref F).

KIO/KIA Talks with Burma Government Remain at Impasse

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¶7. (C) Ongoing GOB talks with the Kachin Independence Organization (KIO) and its armed wing, the Kachin Independence Army (KIA), are at a standstill. Kachin peace negotiators Saboi Jum and his daughter Ja Nan conveyed to us over the course of several conversations that the KIA will not relinquish arms until the government clearly defines BGF roles and responsibilities. The KIO/KIA will have played "all its cards," Ja Nan admitted, if the GOB does not accept the group's latest proposal, which requests that the government abide by the Panglong Agreement (a power-sharing arrangement signed in 1947 giving the Shan, Kachin, and Chin ethnic groups autonomy over their own territory). The government reportedly now calls the Panglong Agreement "history." Ja Nan told us a political advisor to the GOB said in December that "time is running out," but did not elaborate. Labang Gam Awng claimed in a separate conversation that at a meeting with the KIO/KIA, held on December 28 and 29, Burmese generals verbally extended the BGF deadline to March 2010. Ja Nan assumes the regime

expects the KIO/KIA leadership to cave to government pressure as happened immediately before the 2008 constitutional referendum, but Ja Nan believes that is unlikely. The Kachin negotiators still have some optimism and consider the ongoing negotiations themselves to be a "positive sign."

¶8. (C) Labang Gam Awng said that, in a situation reminiscent of the Kokang incident from August (Ref B), the GOB may be employing a divide-and-rule strategy against the KIO/KIA. Top-level leadership -- including KIO Chairman Zawng Khra, Vice-Chairman Gauri Zaw Seng, Secretary Dr. La Ja, and Central Executive Committee member Lamar Gaphang -- reportedly bought off on the idea of joining the BGF after a May 2009 meeting with General Ye Myint and Bureau of Special Operations (BSO) Commander Lieutenant General Tha Aye. But other Kachin leaders opposed the idea -- including KIA Generals Inban La and Gam Shawng; all KIA battalion leaders; KIA soldiers; and the Kachin people.

¶9. (C) To force a split within KIO ranks, the government appears to be offering lucrative incentives to individuals. Former KIO Vice Chairman Tu Ja recently set up his own political party -- the Kachin State Progressive Party (KSPP), an idea Labang Gam Awng believes the government encouraged. (Note: The press reported that Dr. Tu Ja has already opened KSPP offices in Kachin State, illegal until an election law is promulgated, but the government has allowed the offices to remain open.) It is rumored within the Kachin community that lead KIO negotiator Saboi Jum, whom Labang Gaw Awng refers to as a "pawn of the Nay Pyi Taw generals," has been offered the position of deputy minister of Kachin State if the KIO/KIA agrees to join the BGF. Nay Pyi Taw reportedly has approached Saboi Jum about starting a political party of his own, and has offered similar incentives to others.

Several CFGs Reject BGF Outright

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¶10. (C) Several groups clearly oppose BGF integration and report that talks with the government have gone nowhere. The UWSA is arguably the strongest and most well-equipped CFG with an estimated 20--30,000 troops (Note: The Wa told us in October they have 30,000 active duty troops with an additional 10,000 reserves; observers believe the actual number may be less. End note.) UWSA Deputy Liaison Officer Soe Than told us in October that UWSA Central Executive Committee members find the GOB's proposal "unacceptable" (Ref C). In a January 14 meeting, Soe Than repeated that message, adding that UWSA leaders have determined it will be "impossible" to join the BGF under the terms laid out by the GOB. The UWSA has no intention to undermine its current autonomy by subjecting its troops to Burma Army control. However, the UWSA has opted to "not answer" the GOB regarding the BGF proposal, rather than deliver a firm "no," which the GOB might interpret as a direct challenge to its authority. According to Soe Than, the Wa are not anxious to renew active hostilities. Nevertheless, he said, the UWSA is "on edge," hoping the status quo will prevail but prepared to fight if necessary. The UWSA already has undertaken "protective measures," which Soe Than would not define, and he expressed confidence the UWSA would have the upper hand in any battle with the SPDC.

¶11. (C) The New Mon State Party (NMSP) and its military arm, the Mon National Liberation Front (MNLF) with an estimated 7,000 troops, have resisted GOB overtures to join the BGF. According to the exile press, the NMSP sent an official letter to the State Peace and Development Council (SPDC) in August 2009 explaining that while it wants to continue the ceasefire agreement -- signed in 1995 -- it will not accept any attempt to dismantle its armed units at this time. NMSP Central Executive Committee member Nai Tha La Nyi told Poloff the GOB annually increases the number of Burma Army troops it sends to Mon state. The government's

explanation for the increase is ostensibly border protection.

In total, there are 10 Burma Army battalions operating in Mon state, including a battalion of heavy artillery.

¶12. (C) Similarly, the National Democratic Alliance Army Eastern Shan State (NDAA-ESS), Karen National Union Peace Council (KNU-PC), and the Shan State Army-North (SSA-N) also have rejected the GOB's proposal. Several Embassy sources told us that reasons for rejection include opposition by these groups to government efforts to assign Burma Army military officers to key positions in each BGF battalion.

What's Next?

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¶13. (C) The latest GOB-imposed deadline for accession to the BGF passed December 31. The GOB appears committed to the proposal for now, at least in part because of the stipulation in the new constitution -- which will take effect after parliament convenes following elections the government has publicly announced will be sometime in 2010 -- that there be only one national military force. The regime appears to be ratcheting up pressure on the ethnic groups as elections approach. Many here interpret the regime's rout of the Kokang and its orchestrated change in the MNDAA leadership -- which subsequently reversed the MNDAA's opposition to the BGF -- as, at least in part, a signal to other CFGs: play ball or risk attack (Ref B). Media reports indicate a possible increase in Burma Army troops within ethnic areas along the borders. Pressure on some of the smaller CFGs has been less overt. The GOB reportedly has cut off rice rations and supplies to the NMSA, according to Nai Tha La Nyi.

¶14. (C) In sum, many CFGs appear determined to oppose the BGF proposal, at least in its current form. Saboi Jum and Ja Nan noted that the GOB's mistake is trying to solve its armed ethnic group problem with a one-size-fits-all approach. They stress that integration into the BGF will not work for all ethnic CFGs because they do not share the same grievances or objectives. While nearly all CFGs desire to have some sort of autonomy and a respect for ethnic rights enshrined in the constitution, there are differences among, and often within,

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the groups' approaches to the central government. One result over the years has been a proliferation of ethnic splinter groups; notable examples include the NDA-K's break from the KIO and the DKBA's secession from the KNU.

¶15. (C) The GOB states that it does not plan to engage the CFGs militarily. The two largest CFGs -- the UWSA and KIO/KIA told us that they will not shoot first, but would respond with force if necessary to protect their interests. The UWSA, KIO/KIA, MNDAA, NDAA-ESS, and SSA-N reportedly have had a standing verbal agreement to come to one another's defense should the Burma Army attack, although the other groups failed to assist the Kokang in August. Explaining that lack of intervention, UWSA Liaison Officer Soe Than told us the Wa viewed the Kokang episode as an MNDAA "internal power struggle" unrelated to the BGF issue. Despite stated pledges to avoid violence, tensions are reportedly high on all sides.

¶16. (C) The outcome of the GOB's efforts to integrate the CFGs under the new constitution remains unclear but it could potentially affect the scheduling and conduct of the 2010 elections. One possible explanation for the delay in publication of the electoral laws and election date is the failure to resolve the BGF issue satisfactorily. Khin Maung Gyi, Joint Secretary of the National Unity Party, which is closely allied with the government, told us he is "100 percent" convinced elections will not occur without CFG participation. He says CFGs will either fall in line or be "dealt with" by the government. He suggested the recent actions against the Kokang sent a signal that CFG participation is mandatory.

¶17. (C) The GOB does not appear to have easy options. Political opposition to the current BGF plan remains high among many CFGs. The regime may look for opportunistic scenarios to divide and conquer some smaller CFGs, as it did with the Kokang. But military action against the large, well-armed militias would present significant battlefield challenges and could have serious regional repercussions. That is particularly true in the case of the Wa, who are ethnic-Chinese and have close links to PRC communities across the border.

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